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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,088	12/29/2000	Brian Como	PI00-007	7628
27443	7590	07/19/2004	EXAMINER	
MAUREEN STRETCH, ATTORNEY AT LAW 26 CHARLES STREET NATICK, MA 01760			COLON, CATHERINE M	
			ART UNIT	PAPER NUMBER

3623

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/681,088

Applicant(s)

COMO, BRIAN

Examiner

C. Michelle Colon

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MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The following is a Non-Final Office Action in response to the communication received on December 29, 2000. Claims 1-26 are now pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnard et al. (U.S. 6,687,677).

As per claim 1, Barnard et al. discloses a system for enabling a user to manage resources for goods and services purchased for at least one designated location, comprising:

a gap analysis program for validating requested items against similar items valid for the designated location (col. 9, lines 61-62; col. 11, lines 9-10; col. 17, line 27; Figures 3F and 3L; The system performs gap analysis for the project.);

an estimator communicating with the gap analysis program for providing estimates costs of validated requested items (col. 17, lines 27-43; The system conducts cost estimation in the same (assessment) phase as gap analysis.);

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a procurement function communicating with the gap analysis program for ordering validated requested items for the designated location (col. 3, lines 63-65; col. 4, lines 21-52; col. 4, line 66-col. 5, line 9; The system includes a procurement function that is used during the assessment phase, which includes the gap analysis.); and

a resource manager communicating with the estimator and the procurement function, for managing the use of the requested items as well as other resources as resource items at the designated location (col. 4, lines 11-20; col. 11, lines 9-10; col. 12, lines 49-52; Figure 1; The system manages order, delivery and requisition of resources.).

As per claim 2, Barnard et al. discloses the system of claim 1, wherein the resource manager further comprises a user verification process for verifying a user's password and security level access (col. 12, lines 26-27; col. 16, line 21; col. 19, lines 54-55; The system maintains security standards for accessing the system via a network.).

As per claim 3, Barnard et al. discloses the system of claim 1, wherein the resource manager further comprises an inventory creation program for allowing the user to create at least one inventory file containing at least one resource item (col. 4, lines 11-52; The system uses a database to maintain Req/Cat information, which includes resource requisition data.).

As per claim 4, Barnard et al. discloses the system of claim 3, wherein the resource manager further comprises a job folder manager for creating at least one job folder for a user (col. 5, lines 26-67; Figures 4-6; The system maintains task (i.e., job) information for users.).

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As per claim 5, Barnard et al. discloses the system of claim 4, wherein the resource manager further comprises a resource movement function for allowing a user to move a resource item from an inventory folder to a job folder (col. 5, lines 26-67; col. 10, lines 10-20; Figures 4-6; The system allows managers to adjust and refine project requirements.).

As per claim 6, Barnard et al. discloses the system of claim 5, wherein the resource manager further comprises a job scheduling function for placing a resource item in a job folder into a schedule (col. 17, lines 30-43; Figures 5 and 6; The system maintains schedule data for resources of the project.).

As per claim 7, Barnard et al. discloses the system of claim 6, wherein the job scheduling function notifies a user when an activity needs to take place (col. 7, line 34; col. 10, lines 49-50; The system notifies users of various activities throughout the duration of the project.).

As per claim 8, Barnard et al. discloses the system of claim 7, wherein the job scheduling function further comprises a logistics tracker for locating needed resource items (col. 4, lines 11-52; The system uses a database to maintain Req/Cat information, which includes resource requisition data.).

As per claim 9, Barnard et al. discloses the system of claim 7, wherein the resource manager further comprises a needs analyzer for determining which resource items are needed (col. 4, lines 35-52; The system discloses the ability for a user to access the system and track the statuses of requisitions.).

As per claim 10, Barnard et al. discloses the system of claim 9, wherein the resource manager further comprises a rent versus buy analysis which reports on the

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usage of resource items and recommends acquisition methods (col. 4, lines 35-52; Figure 3M; The system discloses the ability for a user to access the system and track the statuses of requisitions.).

As per claim 11, Barnard et al. discloses the system of claim 9, wherein the resource manager further comprises a movement report which indicates which resource items have been moved (col. 4, lines 35-52; The system discloses the ability for a user to access the system and track the statuses of requisitions.).

As per claim 12, Barnard et al. discloses the system of claim 9, wherein the resource manager further comprises an activity entry function which enables the user to enter information about resource item usage (col. 4, lines 35-52; Figures 5 and 6; The system enables users to enter activity information about resources and tasks.).

As per claim 13, Barnard et al. discloses the system of claim 12, wherein the resource manager further comprises a cost reporter which summarizes actual costs and estimated costs (col. 9, lines 43-46; col. 17, lines 20 and 30-43; col. 23, lines 1-5).

Method claims 14-26 recite substantially similar limitations to system claims 1-13, respectively. Accordingly, method claims 14-26 are rejected under the same basis as their system counterparts, claims 1-13, respectively.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Barnard et al. (U.S. 6,714,915) discusses a system and method for project design and development; and
- Barnard et al. (U.S. 6,684,191) discusses a system and method for assessing a procurement and accounts payable system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-4251. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

703-872-9306

[Official Communications; including After Final
communications labeled "Box AF"]

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703-746-7202

[For status inquiries, draft communication, labeled
"Proposed" or "Draft"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA 7th floor receptionist.


emc

July 12, 2004


TARIQ R. HAFIZ
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